

1 Alan R. Plutzik (State Bar No. 077785)
Kathryn A. Schofield (State Bar No. 202939)
2 BRAMSON, PLUTZIK, MAHLER & BIRKHAEUSER, LLP
2125 Oak Grove Road, Suite 120
3 Walnut Creek, California 94598
Telephone: (925) 945-0200
4 Facsimile: (925) 945-8792

5 Nadeem Faruqi
FARUQI & FARUQI, LLP
6 320 East 39th Street
New York, NY 10016
7 Telephone: 212/983-9330
Facsimile: 212/983-9331

8 Attorneys for Plaintiffs Knee and Galluscio

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 STEPHEN KNEE, Derivatively On Behalf of
13 BROCADE COMMUNICATION SYSTEMS,
INC.,

14 Plaintiff,

15 vs.

16 GREGORY L. REYES, et al.

17 Defendants,

18 and BROCADE COMMUNICATION
19 SYSTEMS, INC.,

20 Nominal Defendant.
21
22
23
24
25
26
27
28

Civil Case No.: C05-02233 CRB

DERIVATIVE ACTION

**STIPULATION AND ~~PROPOSED~~
RESCHEDULE**

1 ROBERT GALLUSCIO, Derivatively On Behalf
2 of BROCADE COMMUNICATION
SYSTEMS, INC.,

3 Plaintiff,

4 vs.

5 GREGORY L. REYES, et al.

6 Defendants,

7 and BROCADE COMMUNICATION
8 SYSTEMS, INC.,

9 Nominal Defendant.

Civil Action No.: C05-02235 CRB

10 WILLIAM PRATT, Derivatively On Behalf of
11 BROCADE COMMUNICATION SYSTEMS,
INC.,

12 Plaintiff,

13 vs.

14 GREGORY L. REYES, et al.

15 Defendants,

16 and BROCADE COMMUNICATION
17 SYSTEMS, INC.,

18 Nominal Defendant.

Civil Action No.: C05-02372 CRB

19 ANJANI K. JHA, Derivatively On Behalf of
20 BROCADE COMMUNICATION SYSTEMS,
INC.,

21 Plaintiff,

22 vs.

23 GREGORY L. REYES, et al.

24 Defendants,

25 and BROCADE COMMUNICATION
SYSTEMS, INC.,

26 Nominal Defendant.

Civil Action No.: C05-02652 CRB

STIPULATION

WHEREAS this Court has ordered the following shareholder derivative cases be related:

<u>Case Name</u>	<u>Case No.</u>	<u>Date Action Filed</u>
<i>Knee v. Reyes, et al.</i>	C05-02233 CRB	June 1, 2005
<i>Galluscio v. Reyes, et al.</i>	C05-02235 CRB	June 2, 2005
<i>Pratt v. Reyes, et al.</i>	C05-02372 CRB	June 10, 2005
<i>Jha v. Reyes, et al.</i>	C05-2652 CRB	June 28, 2005

WHEREAS, on August 19, 2005 the Court entered a stipulated Order consolidated these actions;

WHEREAS, the parties believe the consolidated actions should be governed by one uniform schedule;

WHEREAS, the parties desire additional time to consider potential ADR options and early settlement;

IT IS HEREBY STIPULATED AND AGREED by and between undersigned counsel that, subject to the approval of this Court:

1. No later than October 28, 2005 the parties shall meet and confer to discuss options for ADR and file either a joint ADR certification with stipulation to an ADR process or a notice of need for an ADR telephone conference.

2. No later than October 28, 2005 the parties shall meet and confer regarding initial disclosures, early settlement, ADR process selection and discovery plan.

IT IS HEREBY STIPULATED AND AGREED TO:

Dated: September 12, 2005

FARUQI & FARUQI, LLOP

/s/Nadeem Faruqi

Nadeem Faruqi
Attorneys for Plaintiffs Knee and Galluscio

1 Dated: September 12, 2005

FEDERMAN & SHERWOOD

2
3 /s/Todd Ver Weire

4 Todd Ver Weire
Attorneys for Plaintiffs Pratt and Jha

5 Dated: September 12, 2005

6 BRAMSON, PLUTZIK, MAHLER &
7 BIRKHAUSER, LLP

8 /s/Alan Plutzik

9 Alan Plutzik
Attorneys for Plaintiffs Knee and Galluscio

10 Dated: September 12, 2005

MARY ALEXANDER & ASSOCIATES

11
12 /s/Mary Alexander

13 Mary Alexander
Attorney for Plaintiffs Pratt and Jha

14 Dated: September 12, 2005

PROSKAUER ROSE LLP

15
16 /s/Robert Horn

17 Robert Horn
Attorneys for Defendant Gregory L. Reyes

18 Dated: September 12, 2005

WILSON SONSINI GOODRICH & ROSATI, P.C.

19
20 /s/David McCarthy

21 David McCarthy
Attorneys for all other Defendants

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Alan Plutzik, attest that concurrence in the filing of this document has been obtained from each of the other signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 12 day of September 2005 at Walnut Creek, California.

/s/Alan Plutzik
Alan Plutzik

~~PROPOSED~~ ORDER

IT IS SO ORDERED.

This 14 day of September, 2005.

